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TO:

Examiner Elli Peselev
U.S. Patent Office, Art Unit 1623

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FROM:

John Kappos, Reg. No. 37,861

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MESSAGE

Re: **CAVALERI et al.**
U.S. Application Serial No. 10/714,261

Attorney Docket No. 892,280-210
[formerly 342312004300]

Document(s) attached:

1. Transmittal Letter (2 pgs.)
2. Amendment and Response (12 pgs.)
with Exhibit A (15 pgs.), Exhibit B (5 pgs.), Exhibit C (17 pgs.), and Exhibit D (7 pgs.)

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Patent
Attorney Docket: 892,280-210
(Formerly 342312004300)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

CAVALERI et al.

Serial No.: 10/714,261

Filed: November 14, 2003

**For: METHODS OF ADMINISTERING
DALBAVANCIN FOR TREATMENT OF
BACTERIAL INFECTIONS**

Group Art Unit: 1623

Examiner: Elli Peselev

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TRANSMITTAL LETTER

**MAIL STOP AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**

Sir:

In response to the Office Action dated September 9, 2004, Applicants enclose the following documents:

1. Amendment and Response (with Exhibits A-D); and
2. Receipt verification postcard.

CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted by facsimile to (703) 872-9306 on the date shown below and addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

November 12, 2004
Date of Deposit
IR1:1059711.1

Cynthia B. Pacheco
Cynthia B. Pacheco

Patent
Attorney Docket: 892,280-210
(Formerly 342312004300)

3. Fees for claims:

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

| Claims | No. Previously Paid For | Claims Remaining | No. to be Paid For | Large Entity Fee | Additional Fee Due |
|----------------------------------------------------------------------------|----------------------------|------------------------------------------|-----------------------|---------------------|-------------------------------------|
| Total | 61 | - 22 = | 0 x | \$18.00 | \$0.00 |
| Independent | 8 | - 2 = | 0 x | \$88.00 | \$0.00 |
| Multiple Dependent | 0 | (if applicable) <input type="checkbox"/> | | \$300.00 | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | | \$0.00 |
| Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. | | | | | \$0.00 |
| | | | | | <input checked="" type="checkbox"/> |
| TOTAL FEES FOR CLAIMS SUBMITTED HERewith | | | | | \$0.00 |

The Commissioner is hereby authorized to charge any fees that may be required with the filing of these papers to Deposit Account No. 50-0639.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: November 12, 2004

By: John Kappos

John Kappos

Reg. No. 37,861

Attorneys for Applicants

JCK/cp
Enclosures

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Patent
Attorney Docket: 892,280-210
(Formerly 342312004300)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

CAVALERI, Marco et al.

Serial No.: 10/714,261

Filed: November 14, 2003

**For: METHODS OF ADMINISTERING
DALBAVANCIN FOR TREATMENT OF
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Group Art Unit: 1623

Examiner: Elli Pescelev

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AMENDMENT AND RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 9, 2004, the applicants make the following amendments:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Remarks begin on page 8 of this paper.

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via facsimile to (703) 872-9306, on the date shown below, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Cynthia B. Pacheco
Cynthia B. Pacheco

IR1:1059489.2